

STATE CERTIFICATION

I (name), (title), on behalf of the State (or Commonwealth) of (State), as requested by the Administrator as a condition of approval of a grant under the authority of 49 U.S.C. 31102, as amended, do hereby certify as follows:

1. The State has adopted commercial motor carrier and highway hazardous materials safety rules and regulations that are compatible with the FMCSRs and the HMRs.
2. The State has designated (name of State CMV safety agency) as the lead agency to administer the CVSP for the grant sought and (names of agencies) to perform defined functions under the plan. These agencies have the legal authority, resources, and qualified personnel necessary to enforce the State's commercial motor carrier, driver, and highway hazardous materials safety laws or regulations.
3. The State will obligate the funds or resources necessary to provide a matching share to the Federal assistance provided in the grant to administer the plan submitted and to enforce the State's commercial motor carrier safety, driver, and hazardous materials laws or regulations in a manner consistent with the approved plan.
4. The laws of the State provide the State's enforcement officials right of entry and inspection sufficient to carry out the purposes of the CVSP, as approved, and provide that the State will grant maximum reciprocity for inspections conducted pursuant to the North American Standard Inspection procedure, through the use of a nationally accepted system allowing ready identification of previously inspected CMVs.
5. The State requires that all reports relating to the program be submitted to the appropriate State agency or agencies, and the State will make these reports available, in a timely manner, to the FMCSA on request.
6. The State has uniform reporting requirements and uses FMCSA designated forms for record keeping, inspection, and other enforcement activities.
7. The State has in effect a requirement that registrants of CMVs declare their knowledge of the applicable Federal or State CMV safety laws or regulations.
8. The State will maintain the level of its expenditures, exclusive of Federal assistance, at least at the level of the average of the aggregate expenditures of the State and its political subdivisions during State or Federal fiscal years 1997, 1998, and 1999. These expenditures must cover at least the following four program areas, if applicable:
 - (a) Motor carrier safety programs in accordance with 49 CFR 350.301.
 - (b) Size and weight enforcement programs.
 - (c) Traffic safety.
 - (d) Drug interdiction enforcement programs.
9. The State will ensure that CMV size and weight enforcement activities funded with MCSAP funds will not diminish the effectiveness of other CMV safety enforcement programs.

10. The State will ensure that violation fines imposed and collected by the State are consistent, effective, and equitable.
11. The State will ensure it has a program for timely and appropriate correction of all violations discovered during inspections conducted using MCSAP funds.
12. The State will ensure that the CVSP, data collection, and information systems are coordinated with the State highway safety program under title 23, U.S. Code. The name of the Governor's highway safety representative (or other authorized State official through whom coordination was accomplished) is _____(Name).
13. The State participates in SAFETYNET and ensures information is exchanged with other States in a timely manner.
14. The State has undertaken efforts to emphasize and improve enforcement of State and local traffic laws as they pertain to CMV safety.
15. Ensure that MCSAP agencies have departmental policies stipulating that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel.
16. The State will ensure that requirements relating to the licensing of CMV drivers are enforced, including checking the status of CDLs.
17. The State or local recipient of MCSAP funds will certify that it meets the minimum Federal standards set forth in 49 CFR part 385, Subpart C, for training and experience of employees performing safety audits, compliance reviews, or driver/vehicle roadside inspections.
18. The State will enforce registration requirements under 49 U.S.C. 13902; 49 CFR Parts 356 and 365; and 49 CFR 392.9(a) by placing out of service a vehicle discovered to be operating without registration or beyond the scope of its registration. In the absence of appropriate authority to enforce such registration requirements, the State will demonstrate that it has made substantial progress toward obtaining legislative authority consistent with 49 CFR 350.331(d) to allow enforcement as soon as possible.
19. The State will enforce financial responsibility requirements under 49 U.S.C. 13906, 31138, 31139, and 49 CFR Part 387. In the absence of appropriate authority to enforce such insurance requirements, the State will demonstrate that it has made substantial progress toward obtaining legislative authority consistent with 49 CFR 350.331(d) to allow enforcement as soon as possible.

Date: _____

Signature: _____